

MAR 22 2004

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OFFICIAL**FACSIMILE TRANSMITTAL SHEET**

Deliver to: Examiner Daniel A. Nolan, Art Unit 2654
 Firm Name: U.S. Patent & Trademark Office
 Fax Number: 703-872-9314
 From: Joni D. Stutman-Horn Operator: Anne Collette
 Date: March 22, 2004
 App. No.: 09/882,563
 No. of pages: 30 (including cover sheet)

Client/Matter: 42P11240 Docket Date: 3/31/2004 Atty: JDS

Dear Examiner:

Please find the following document(s) attached:

- 1) Fee Transmittal (1 page)
- 2) Response to Office Action (25 pages)
- 3) Replacement Drawings (2 pages)
- 4) Copy of Original Drawing (1 page)

Thank you.

CONFIDENTIALITY NOTE

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PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 460.00)

Complete if Known

Application Number	09/882,563
Filing Date	June 15, 2001
First Named Inventor	Bennett
Examiner Name	Daniel A. Nolan
Art Unit	2654
Attorney Docket No.	42P11240

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

02-2666

Deposit Account Number
Deposit Account Name
Blakely, Sokoloff, Taylor & Zafman LLP

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee			
1002 340	2002 170	Design filing fee			
1003 530	2003 265	Plant filing fee			
1004 770	2004 385	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims below	Fee from below	Fee Paid
46	-30** = 16		x 18	= 288	
Independent Claims 7	-5** = 2		x 86	= 172	

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 280	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 460.00)		

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 185	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 685	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1480 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (list no. of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)	

(Complete if applicable)

SUBMITTED BY			
Name (Print/Type)	John Patrick Ward	Registration No. (Attorney/Agent)	40,216 Telephone 408-720-8300
Signature	Date 3/22/04		

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MAR 22 2004

09/882,563

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Bennett et al.

Application No.: 09/882,563

Docket No.: 42P11240

Filed: June 15, 2001

For: SELECTING ONE OF MULTIPLE
SPEECH RECOGNIZERS IN A SYSTEM
BASED ON PERFORMANCE
PREDICTIONS RESULTING FROM
EXPERIENCE (as amended)

Examiner: Daniel A. Nolan

Art Unit: 2654

VIA FAX (703) 872-9314

AMENDMENT AND RESPONSE

COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed on Dec. 31, 2003, please reconsider the pending claims based on the following amendment.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

By: Anne Collette
 Anne Collette

Date: 3/22/2004

09/882,563

Amendments to the Title

Please replace the title of the patent application with the following title:

~~"SELECTING ONE OF MULTIPLE SPEECH RECOGNIZERS IN A SYSTEM BASED
ON PERFORMANCE PREDICTIONS RESULTING FROM EXPERIENCE"~~